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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON: September 30, 2005

Audrey Bayl
September 30, 2005
Date

Attorney Docket No. P31938C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Blackler et al. September 30, 2005
Serial No.: 10/692,544 Group Art Unit No.: 1625
Filed: October 24, 2003 Examiner: Z.N. Davis
For: HYDRATE OF 5-[4-[2-(N-METHYL-N-(2-PYRIDIL)AMINO)ETHOXY]BENZYL]THIAZOLIDINE-2,4-DIONE MALEIC ACID SALT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

10/05/2005 AKELECH1 00000008 192570 10692544 **TERMINAL DISCLAIMER**
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Assignee (herein referred to as "Owner"), SmithKline Beecham plc, of Brentford, United Kingdom, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,664,278. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs within any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Please charge the \$110.00 fee required by this Terminal disclaimer under 37 CFR 1.20(d) to Deposit Account Number 19-2570. Also, should the Commissioner determine that said fee is not sufficient to have the terminal disclaimer entered, the Commissioner is hereby authorized to charge any such fee that may be required by this petition or to credit any overpayment to said deposit account.

The undersigned is an attorney or agent of record.

Respectfully submitted,



Kathryn L. Sieburth
Attorney for Applicants
Registration No. 40,072

GLAXOSMITHKLINE
Corp. Intellectual Property-U.S.
P.O. Box 1539
King of Prussia, PA 19406-0939
Telephone: (610) 270-5012
Fax: (610) 270-5090
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